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9
10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
12

13 **MARK E. HAMANN,**

14 Petitioner,

15 v.

16 **KEN CLARK, Warden,**

17 Respondent.
18

C 07-06008 TEH (PR)

**DECLARATION OF COUNSEL IN
SUPPORT OF APPLICATION FOR
ENLARGEMENT OF TIME**

19 I, Catherine A. Rivlin, declare under penalty of perjury as follows:

20 I am the California Supervising Deputy Attorney General assigned to handle the above-
21 encaptioned case. I have obtained the appellate file and the state habeas corpus records. I was the
22 responsible deputy on the direct appeal and thus have familiarity with the case, issues, and facts.
23 However the press of earlier assigned cases has prevented my devoting substantial attention to this
24 case to date. In the most recent 30 days, I have completed the appellee's brief in *Joseph v. Kane*,
25 07-15224, answered a petition for review in *People v. Adams, et al.*, S164577, filed a discovery
26 pleading in a capital case, *In re Welch*, S107782/070855-2, and attended a conference, July 4-14,
27 2008. I will be out of the office again from August 8-18, but plan to complete the present
28 assignment within the time requested. I have not attempted to contact petitioner, who is representing

Decl. of Counsel in Supp. of Appl. for Enl. of Time

Mark E. Hamann v. Ken Clark, Warden
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1 himself in this proceeding, because he is incarcerated in state prison and cannot be conveniently
2 reached. For these reasons, I request an additional 30 days, to August 25, 2008, within which to
3 answer or file a responsive pleading in this case.

4 I declare under penalty of perjury of the laws of the State of California and the United
5 States of America that the foregoing is true and correct. Executed at San Francisco, California on
6 July 22, 2008.

7
8 Respectfully submitted,

9 EDMUND G. BROWN JR.
Attorney General of the State of California

10 DANE R. GILLETTE
Chief Assistant Attorney General

11 GERALD A. ENGLER
Senior Assistant Attorney General

12 PEGGY S. RUFFRA
Supervising Deputy Attorney General

13
14
15 /s/ Catherine A. Rivlin

16 _____
CATHERINE A. RIVLIN
17 Supervising Deputy Attorney General
Attorneys for Respondent
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DECLARATION OF SERVICE BY U.S. MAIL

Case Name: *Mark E. Hamann v. Ken Clark, Warden*

No.: **C 07-06008 TEH (PR)**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On July 22, 2008, I served the attached:

- 1. APPLICATION FOR ENLARGEMENT OF TIME TO
FILE ANSWER OR RESPONSIVE MOTION;**
- 2. DECLARATION COUNSEL IN SUPPORT OF SUPPORT OF
APPLICATION FOR ENLARGEMENT OF TIME; and 3. ORDER**

by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004, addressed as follows:

Mark E. Hamann
SPN# F -17150
California SATF & State Prison, FB3-243
P.O. Box 5248
Corcoran, CA 93212

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on July 22, 2008, at San Francisco, California.

J. Espinosa

Declarant

/s/ J. Espinosa

Signature